

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

*** CRIMINAL DOCKET NO: 07-397**

v.

*** SECTION: "B" (4)**

LARRY G. HARRISON JR.

*** * ***

FACTUAL BASIS

Should this matter proceed to trial, the United States of America will prove beyond a reasonable doubt, through credible testimony and reliable evidence, the following facts:

On Sunday October 21, 2007, New Orleans Police Department (NOPD) First District Officers Stephen Lindsey and Krister Vilen conducted a traffic stop of a maroon Chevrolet Tahoe illegally parked adjacent to a fire hydrant in the 2700 block of Laharpe St., New Orleans, LA. The NOPD officers approached the driver, **LARRY G. HARRISON, JR. (HARRISON)**, of the vehicle and advised **HARRISON** that he was illegally parked. After **HARRISON** was unable to produce his driver's license and proof of insurance, **HARRISON** was placed under arrest and a tow vehicle was arranged to impound the Tahoe. During an inventory search of the vehicle prior to towing, the NOPD Officers discovered a plastic bag containing cocaine base ("crack") sticking out from under the base of the center console near the driver's seat. There were numerous individual rocks contained in the plastic baggie. A continued search of the vehicle revealed a loaded Glock Model 17, 9mm caliber semi-automatic pistol, serial number GV965 US under the cup holder inside the center console. In addition, a pat down search of **HARRISON** revealed that he had approximately \$1,100.00 in small bills on his person.

After being advised of his Miranda rights, **HARRISON** admitted that the drugs in the vehicle

were his and that the crack weighed approximately 1/3 of an ounce and that he had previously purchased the firearm for \$75.00.

The crack was tested and weighed by the St. Tammany Parish Sheriff's crime lab. The crack tested positive and had a net weight of 9.65 grams. Also, an ATF Agent would further testify that the aforementioned firearm was manufactured in Austria and imported into the state of Georgia, and, as such, for this firearm to be found inside the state of Louisiana, it would have had to travel and thereby affect interstate commerce.

Lastly, certified court documents would prove that **HARRISON** previously was arrested on May 17, 2007 on drug charges for possession with intent to distribute both heroin and cocaine. On July 17, 2007, a Bill of Information was filed in Criminal District Court for the Parish of Orleans, Case Number 471-655 "G", for Possession of Cocaine Base ("crack") with Intent to Distribute in violation of LA-R.S. 40:967 (B)(1) and Possession of Heroin with Intent to Distribute in violation of LA-R.S. 40:966 (A)(1). These violations are punishable by a term of imprisonment exceeding one year. **HARRISON** appeared on August 14, 2007 for an initial appearance on these charges. These charges still are currently pending.

BRIAN J. CAPITELLI
Assistant United States Attorney
LA Bar Roll No. 27398

Date

GARY SCHWABE, JR. ESQ.
Counsel For Defendant
LA Bar Roll No. 19780

Date

LARRY G. HARRISON, JR.

Date

